

Also, to minimize the reporting burden on smaller U.S. businesses, majority-owned affiliates with assets, sales, and net income in the range of \$20 million to \$50 million will be reported on the abbreviated BE-11B(SF), or short form, rather than the BE-11B(LF), or long form.

List of Subjects in 15 CFR Part 806

Balance of payments, Economic statistics, U.S. investment abroad, Penalties, Reporting and recordkeeping requirements.

Dated: June 30, 1995.

J. Steven Landefeld,

Acting Director, Bureau of Economic Analysis.

For the reasons set forth in the preamble, BEA proposes to amend 15 CFR part 806 as follows:

PART 806—DIRECT INVESTMENT SURVEYS

1. The authority citation for 15 CFR part 806 continues to read as follows:

Authority: 5 U.S.C. 301; 22 U.S.C. 3101–3108; and E.O. 11961 (3 CFR, 1977 Comp., p. 86), as amended by E.O. 12013 (3 CFR, 1977 Comp., p. 147), E.O. 12318 (3 CFR, 1981 Comp., p. 173), and E.O. 12518 (3 CFR, 1985 Comp., p. 348).

§ 806.14 [Amended]

2. Section 806.14(f)(3) introductory text, (f)(3)(i), (f)(3)(ii), (f)(3)(iii), (f)(3)(iv)(A) through (C), (f)(3)(v) are revised to read as follows:

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(f) * * *

(3) BE-11—Annual Survey of U.S. Direct Investment Abroad: A report, consisting of Form BE-11A and Form(s) BE-11B(LF), BE-11B(SF), and/or BE-11C, is required of each nonbank U.S. Reporter who, at the end of the Reporter's fiscal year, had a nonbank foreign affiliate reportable on Form BE-11B(LF), BE-11B(SF), or BE-11C. Forms required and the criteria for reporting on each are as follows:

(i) Form BE-11A (Report for U.S. Reporter) must be filed by each nonbank U.S. person having a foreign affiliate reportable on Form BE-11B(LF), BE-11B(SF), or BE-11C.

(ii) Form BE-11B(LF) or (SF) (Report for Majority-owned Foreign Affiliate).

(A) A BE-11B(LF) (Long Form) is required to be filed for each majority-owned nonbank foreign affiliate of a nonbank U.S. Reporter for which any one of three items—total assets, sales or gross operating revenues excluding sales taxes, or net income after provision for foreign income taxes—was greater than \$50 million (positive or negative) at the end of, or for, the affiliate's fiscal year.

(B) A BE-11B(SF) (Short Form) is required to be filed for each majority-owned nonbank foreign affiliate of a nonbank U.S. Reporter for which any one of the three items listed in paragraph (f)(3)(ii)(A) of this section was greater than \$20 million (positive or negative), but for which no one of these items was greater than \$50 million (positive or negative), at the end of, or for, the affiliate's fiscal year.

(iii) Form BE-11C (Report for Minority-owned Foreign Affiliate) must be filed for each minority-owned nonbank foreign affiliate that is owned at least 20 percent, but not more than 50 percent, directly and/or indirectly, by all U.S. Reporters of the affiliate combined, and for which any one of the three items listed in paragraph (f)(3)(ii)(A) of this section was greater than \$20 million (positive or negative) at the end of, or for, the affiliate's fiscal year. In addition, for the report covering fiscal year 1997 only, a Form BE-11C must be filed for each minority-owned nonbank foreign affiliate that is owned, directly or indirectly, at least 10 percent by one U.S. Reporter, but less than 20 percent by all U.S. Reporters of the affiliate combined, and for which any one of the three items listed in paragraph (f)(3)(ii)(A) of this section was greater than \$100 million (positive or negative) at the end of, or for, the affiliate's fiscal year.

(iv) * * *

(A) None of its exemption level items is above \$20 million.

(B) For fiscal year 1997 only, it is less than 20 percent owned, directly or indirectly, by all U.S. Reporters of the affiliate combined and none of its exemption level items exceeds \$100 million.

(C) For fiscal years other than 1997, it is less than 20 percent owned, directly or indirectly, by all U.S. Reporters of the affiliate combined.

(D) * * *

(E) * * *

(v) Notwithstanding the above, a Form BE-11B(LF), BE-11B(SF), or BE-11C must be filed for a foreign affiliate of the U.S. Reporter that owns another nonexempt foreign affiliate of that U.S. Reporter, even if the foreign affiliate parent is otherwise exempt. That is, all affiliates upward in the chain of ownership must be reported.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 1

[CGD 94-105]

RIN 2115-AE99

Coast Guard Rulemaking Procedures

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking; reopening of comment period.

SUMMARY: On June 14, 1995, the Coast Guard published a notice of proposed rulemaking (60 FR 31267) proposing the use of a "direct final rule" process for use with noncontroversial rules. Because of a request for additional time to comment on the proposed rulemaking the comment period is being reopened for 30 additional days.

DATES: Comments must be received on or before August 31, 1995.

ADDRESSES: Comments may be mailed to the Executive Secretary, Marine Safety Council (G-LRA/3406) (CGD 94-105), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001, or may be delivered to room 3406 at the same address between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267-1477.

The Executive Secretary maintains the public docket for this rulemaking. Comments will become part of this docket and will be available for inspection or copying at room 3406, U.S. Coast Guard Headquarters, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: LT R. Goldberg, Staff Attorney, Regulations and Administrative Law Division, Office of Chief Counsel, U.S. Coast Guard Headquarters, (202) 267-6004.

SUPPLEMENTARY INFORMATION: The notice of proposed rulemaking published on June 14, 1995 invited and encouraged interested persons to participate in the proposed rulemaking by submitting written comments, including views, data or arguments by July 14, 1995. An organization requested additional time to prepare comments citing the need for additional time to disseminate information to effected persons. Because of this request the comment period is reopened for 30 additional days. Coast Guard is reopening the comment period on the notice of proposed rulemaking, "Coast Guard Rulemaking Procedures" which proposes allowing the use of direct final rulemaking procedures in certain situations. The NPRM was

published in the **Federal Register** on June 14, 1995 (60 FR 31267) with a comment period that ended July 14, 1995.

Persons submitting comments should include their names and addresses, identify this rulemaking (CGD 94-105) and the specific section of this proposal to which each comment applies, and give the reason for each comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of comments should enclose stamped, self-addressed postcards or envelopes. The Coast Guard will consider all comments received during the comment period. It may change this proposal in view of the comments.

Dated: July 24, 1995.

J.E. Shkor,

Rear Admiral, U.S. Coast Guard, Chief Counsel.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 194

[FRL-5266-7]

RIN 2060-AE30

Criteria for the Certification and Determination of the Waste Isolation Pilot Plant's Compliance With Environmental Standards for the Management and Disposal of Spent Nuclear Fuel, High-Level and Transuranic Radioactive Wastes

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; Re-opening public comment period.

SUMMARY: The Environmental Protection Agency (EPA) is re-opening the public comment period on previously proposed criteria for certifying and determining whether the Department of Energy's Waste Isolation Pilot Plant (WIPP) complies with the disposal standards set forth in 40 CFR 191 (Environmental Radiation Protection Standards for the Management and Disposal of Spent Nuclear Fuel, High-Level and Transuranic Radioactive Wastes). The proposed criteria and accompanying information were published in the **Federal Register** on January 30, 1995 (60 FR 5766-5791).

DATES: Comments in response to today's document must be received by September 15, 1995.

ADDRESSES: Comments in response to today's document should be submitted, in duplicate, to: Docket No. A-92-56, Air Docket, room M-1500 (6102), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC, 20460.

FOR FURTHER INFORMATION CONTACT: Mary Kruger or Elizabeth Forinash; telephone (202) 233-9310; address: Criteria and Standards Division, Mail Code 6602J, U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC, 20460. The proposed criteria and supplementary information are located in Docket A-92-56. The DOE draft compliance application, described below, is located in Docket A-93-02.

SUPPLEMENTARY INFORMATION: The Department of Energy has proposed to use the WIPP, an underground geological repository in Eddy County, New Mexico, for the disposal of radioactive waste generated by atomic energy defense activities. On January 30, 1995 (60 FR 5766-5791), EPA published proposed criteria for certifying and determining whether the WIPP complies with EPA's radiation protection disposal standards set forth in 40 CFR 191. The final criteria will be used by EPA in determining whether the WIPP disposal system complies with the disposal standards, based on a compliance certification application to be submitted by DOE. See section 8 of the WIPP Land Withdrawal Act, Pub. L. No. 102-579.

EPA held a 90-day public comment period on the January 30, 1995 proposed WIPP compliance criteria that concluded on May 1, 1995. See 60 FR at 5766. EPA also conducted public hearings to receive additional public comments on the proposed criteria. The hearings were held in New Mexico from March 21-24, 1995. See 60 FR at 11060.

EPA received a request that EPA extend the initial 90-day public comment period by at least 30 days. In addition, DOE has submitted to EPA, in two parts, a draft compliance certification application. The DOE submittals have been placed in the compliance certification docket No. A-93-02, identified above. EPA does not expect DOE's draft compliance certification application to influence the contents of EPA's final compliance criteria. Nevertheless, members of the public have expressed concern that the draft application may affect EPA's final criteria.

EPA is re-opening the public comment period on the proposed compliance criteria until September 15,

1995, after considering the general request to extend the initial public comment period and to provide an opportunity for the public to comment on the proposed compliance criteria in light of DOE's draft compliance certification application. Comments in response to today's document must be received by September 15, 1995. The public is referred to the January 30, 1995 **Federal Register**, 60 FR 5766-5791, which contains the compliance criteria and accompanying information.

EPA will shortly announce a separate opportunity for public comment on DOE's draft compliance certification application. These comments will be considered in EPA's staff-level review of the draft application. EPA's staff-level review of the DOE draft application has no binding legal effect. EPA will determine whether the WIPP facility is in compliance with EPA's radiation disposal standards only after EPA issues final compliance criteria, receives a final DOE compliance certification application, and conducts a WIPP certification rulemaking proceeding in accordance with the Administrative Procedure Act rulemaking requirements at 5 U.S.C. 553.

Additional Docket Information

The Agency is currently maintaining the following public information dockets: (1) Dockets No. A-92-56 and A-93-02, located in room 1500 (first floor in Waterside Mall near the Washington Information Center), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460 (open from 8:00 a.m. to 4:00 p.m. on weekdays); (2) EPA's docket in the Government Publications Department of the Zimmerman Library of the University of New Mexico located in Albuquerque, New Mexico (open from 8:00 a.m. to 9:00 p.m. on Monday through Thursday, 8:00 a.m. to 5:00 p.m. on Friday, 9:00 a.m. to 5:00 p.m. on Saturday, and 1:00 p.m. to 9:00 p.m. on Sunday); (3) EPA's docket in the Fogelson Library of the College of Santa Fe in Santa Fe, New Mexico located at 1600 St. Michaels Drive (open from 8:00 a.m. to 12:00 midnight on Monday through Thursday, 8:00 a.m. to 5:00 p.m. on Friday, 9:00 a.m. to 5:00 p.m. on Saturday, 1:00 p.m. to 9:00 p.m. on Sunday); and (4) EPA's docket in the Municipal Library of Carlsbad, New Mexico located at 101 S. Halegueno (open from 10:00 a.m. to 9:00 p.m. on Monday through Thursday, 10:00 a.m. to 6:00 p.m. on Friday and Saturday, and 1:00 p.m. to 5:00 p.m. on Sunday). As provided in 40 CFR part 2, a